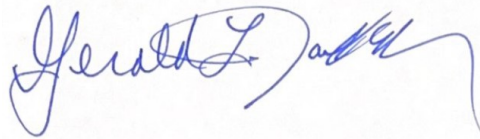




incurred by that party in any civil action (other than cases sounding in tort)[.]”); *see also Manning v. Astrue*, 510 F.3d 1246, 1251 (10th Cir. 2007) (“The EAJA therefore permits attorney’s fees reimbursement to financially eligible prevailing parties, who make a proper application, and not to their attorneys.”).

Accordingly, IT IS ORDERED that Plaintiff’s Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act [Docket No. 20] is hereby denied as MOOT, and the Stipulated Motion for Attorney Fees Under the Equal Access to Justice Act [Docket No. 21] is hereby GRANTED. The Government is hereby ordered to pay the agreed-upon \$7,500.00 fee award to Claimant as the prevailing party herein. IT IS FURTHER ORDERED that if Claimant’s attorney is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b)(1), said attorney shall refund the smaller amount of such fees to the Claimant pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

**DATED** this 30th day of April, 2025.



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**GERALD L. JACKSON**  
**UNITED STATES MAGISTRATE JUDGE**